

		MA 400
Department of Public Health and Human Services	Section:	RESOURCES
	Subject:	Overview
MEDICAL ASSISTANCE		

Supersedes: MA 400 (01/01/08)

References: ARM 37.82.101, .903; 42 CFR 435.601; 20 CFR 416 Subpart L

GENERAL RULE--The filing unit's financial eligibility is determined by prospectively evaluating the resources of each member.

Determining financial eligibility means that an investigation of the household's current and future circumstances occurs. The results, a "best estimate," based on the household's reasonable expectations and knowledge, accurately reflect all facts and remain an accurate reflection of the likely situation throughout the eligibility period.

The "best estimate" involves a projection and evaluation of the household's resources. The projection of resources is then compared to the resource limitation. These estimates become the basis for eligibility for every ensuing benefit month until it is time to re-estimate (redetermine) or until a change in the household's circumstances occurs.



All resources owned (legally or equitably) by the filing unit must be evaluated for accessibility, value, and exclusion status when making eligibility determinations.

Countable resources cannot exceed \$2,000 for an individual or \$3,000 for a couple. For Medicare Savings Programs, countable resources cannot exceed \$4,000 for an individual or \$6,000 for a couple. See MA 903-1 for limits that apply to nursing home cases.

DPHHS does not evaluate an SSI recipient's resource eligibility before providing "regular" Medicaid benefits. The eligibility case manager must independently evaluate assets for resource assessments and asset transfer issues when nursing home/institutional or waiver coverage is requested for an SSI recipient. In addition, an SSI recipient's resources must be evaluated for Medicare Savings Program eligibility.

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ENTERING RESOURCE INFORMATION INTO THE SYSTEM

All resources, even those excluded by policy, must be entered on the appropriate system pages. Enter all resource information for every resource owned or co-owned by every filing unit member.

If any changes are made to the resource information, eligibility must be redetermined. If benefits have been authorized, but not yet issued for the benefit month, any change will deauthorize the benefits. Timely and adequate notice policy must be followed if taking an adverse action.

RESOURCE ACCESSIBILITY & AVAILABILITY

Resources are considered accessible either when actually available to the individual or when the individual has a legal or equitable interest in the property or asset and has the legal or equitable ability to access funds or to convert non-cash property into cash, regardless of whether the individual has the practical ability to access the funds or to convert non-cash property into cash.



No exclusions listed in this section will be applied to property a filing or assistance unit does not own, nor to the use of such property except by owners who are members of the filing or assistance unit. This includes *but is not limited to* property which a filing or assistance unit does not own but is owned by or held in:

1. a trust of any kind (whether or not any member of the filing/assistance unit is a trust beneficiary or a trustor),
2. a corporation of any kind (whether or not any member of the filing/assistance unit is a corporate shareholder),
3. a partnership of any kind (whether or not any member of the filing/assistance unit is a partner),
4. a limited liability company of any kind (whether or not any member of the filing/assistance unit is a member of the company)
5. any other legal entity, instrument, device or arrangement of any kind by which a filing or assistance unit does not own the property.

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**DATE OF
RESOURCE
ELIGIBILITY**

If the individual or couple is resource eligible on any day of a month, they are considered resource eligible for the full month (current month or retroactive month). If resources are anticipated to exceed the resource limit on the first of a future month, the case is closed. If countable resources are reduced below the resource limit in the future month, the household may reapply for Medicaid.

Example: A couple applies for ABD MA on April 7. They are found eligible for April, but anticipate that their resources will exceed program limits on May 1. The case is closed effective April 30. On May 8, the couple reapplies and verifies that their resources have been reduced below the limit. If all eligibility factors are met as of May 8, they may be found Medicaid eligible effective May 1.

**RESOURCES OF
DISQUALIFIED/
INELIGIBLE
MEMBER**

Only the resources of an individual or couple are applied to the resource limit. In the case of a blind or disabled child under age 18, parental resources are deemed to the child (see MA 603-3). The deemed resources are added to the child's own resources and compared to the resource limit for an individual. For a couple that includes one eligible and one ineligible spouse, the resource limit for a couple is used. All resources of both spouses are considered when determining Medicaid eligibility for either or both spouses, according to policy for the individual resources. There is no spouse-to-spouse deeming other than in the cases of community spouses in nursing home (see MA 903-1) and Home and Community Based Services Waiver (see MA 1000).

**CHANGES IN
RESOURCES --
MONTH OF
APPLICATION**

Any changes in resources that occur and are reported after the date of application, but prior to the application being approved or denied, should be evaluated to determine if:

1. An increase in resources is the result of countable income in the month (thus, not a countable resource), or
2. A decrease in resources results in a finding of eligibility for a month if the household initially appeared to exceed the resource limit.

Examples:

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#1 A couple applies for Medicaid on October 1. Their resources on October 7 are \$3,200. Before the eligibility case manager denies the application, the couple verifies their resources have decreased to \$1,500 as of October 22. The Medicaid application could be approved for the month of October if the couple verifies this change in resources and is otherwise eligible.

#2 On October 5, an individual applies for Medicaid. Resources on that date are \$1,200. Before the eligibility case manager approves the application, the applicant reports he was given an additional vehicle worth \$5000, which is not excluded per policy. Even though resources now exceed the limit, the Medicaid application must be approved (if otherwise eligible) for October because the applicant met the resource standard at one point during the month. The eligibility case manager would evaluate eligibility for November based on the new situation and close the Medicaid effective October 31 due to excess resources.

CURRENT MONTH INCOME

Income received in the current month is not counted as a resource in that month. Therefore, if the income is deposited into a bank account, it is excluded as a resource in the current month, but countable in any future months.

DEEMING OF RESOURCES TO A BLIND/DISABLED CHILD OR SPONSORED ALIEN

For Medicaid, the resources of certain responsible individuals must be deemed to an applicant or recipient. Medicaid resource exclusions apply to the resources of the deemed person(s). In the case of a blind or disabled child, the resources of the parent(s) with whom the child resides are deemed to the child (MA 601-2). In the case of a sponsored alien, resources are deemed from the alien's sponsor(s) and the sponsor's spouse, if the spouses reside together. The deeming process is as follows:

Total resources of the parent(s) or sponsor(s) _____

Resource limit for individual or couple - _____

Equals resources deemed available to the alien or blind/disabled child = _____

The resource limit for an individual is used as a deduction in the case of a parent or sponsor who is not living with a spouse. If the parent or sponsor is living with his/her spouse

(including, for parents, a spouse who is a step-parent to the blind/disabled child), the resource limit for a couple is used. If the spouse of a sponsor is a co-sponsor to the alien, the resource limit for a couple is also used. Two separate sponsors (not married to one another) are treated the same as a sponsor and his/her spouse.

For parental deeming, if the parents have more than one blind/disabled child, the resources deemed available are prorated among the blind/disabled children equally.

For sponsor deeming, if a sponsor is sponsoring more than one individual, the entire deemed resource amount is deemed to EACH sponsored alien. There is no prorating.

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